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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

THE O.N. EQUITY SALES COMPANY,)	Civil No. 07cv859 WQH(AJB)
)	
Plaintiff,)	
v.)	
BETTY WALLACE, individually and as)	ORDER FOLLOWING EARLY
Trustee of the BETTY WALLACE TRUST)	NEUTRAL EVALUATION
OF 1992, and as Trustee of the BETTY)	CONFERENCE
WALLACE EMPLOYEE'S RETIREMENT)	
TRUST-BETTY WALLACE PROFIT)	
SHARING PLAN 002,)	
)	
Defendants.)	
)	

On July 10, 2007, the Court convened an Early Neutral Evaluation Conference in the above entitled action. Appearing were Marion Little, Esq. and William Price, client representative on behalf of plaintiff; Joel Goodman,, Robert Hill, Esq. and Betty Wallace on behalf of defendant.

The case is not in a position for settlement. There is currently pending a Motion for Protective Order re: Discovery, a Motion to Compel Arbitration and a Motion for Preliminary Injunction. The Motion for Protective order is scheduled to be heard by Judge Battaglia on August 10, 2007. The Motion to Compel Arbitration and the Motion for Preliminary Injunction are set before Judge Hayes on September 24, 2007. To ensure the ability to complete any discovery that is ordered and time for the motions before Judge Hayes, the Court issues the following orders:

- 1 The Motion for Protective Order is advanced from August 10, 2007 to ***August 2, 2007 at 1:30 p.m.*** before Judge Battaglia.
- 2 Plaintiff's opposition to the Motion for Protective Order will be filed by July 23, 2007 and defendant's reply will be filed by July 30, 2007; and
- 3 If the Motion for Protective Order is denied, the Court and counsel will attend to the scheduling of any necessary discovery on the sole issue or arbitrability at the conclusion of the August 2, 2007 hearing.

8 The court has previously ordered the parties to comply with their Rule 26(a) disclosure
9 obligation and the parties have submitted a joint report. Further scheduling of the case in chief will be
10 addressed following the pending motions.

IT IS SO ORDERED.

DATED: July 11, 2007

Hon. Anthony J. Battaglia
U.S. Magistrate Judge
United States District Court